

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

12090-004US1

U.S. APPLICATION NO. (If filing under 37 CFR 1.5)

10/509713INTERNATIONAL APPLICATION NO.
PCT/US03/10140INTERNATIONAL FILING DATE
2 April 2003PRIORITY DATE CLAIMED
4 April 2002TITLE OF INVENTION
TEMPERATURE-CONTROLLED ACTUATORAPPLICANT(S) FOR DO/EO/US
Eric D. Mathews and Paul J. Dobson

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. EV 382036501US
Date of Deposit: October 1, 2004

U.S. APPLICATION NO. 10/509713 <small>(See 37 CFR 1.53)</small>		INTERNATIONAL APPLICATION NO. PCT/US03/10140		ATTORNEY'S DOCKET NUMBER 12090-004US1			
21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$920 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$770 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$730 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"></td> <td style="width:50%; border: none; text-align: right;">\$770.00</td> </tr> </table>			\$770.00
	\$770.00						
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"></td> <td style="width:50%; border: none; text-align: right;">\$0.00</td> </tr> </table>			\$0.00
	\$0.00						
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total Claims	30 - 20 =	10	x \$18	\$180.00			
Independent Claims	2 - 3 =	0	x \$86	\$0.00			
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$290	\$0.00			
TOTAL OF ABOVE CALCULATIONS =				\$950.00			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$475.00			
SUBTOTAL =				\$475.00			
Processing fee of \$130 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$0.00			
TOTAL NATIONAL FEE =				\$475.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$0.00			
TOTAL FEES ENCLOSED =				\$475.00			
				Amount to be refunded:	\$		
				charged:	\$		

a. ☒ A check in the amount of \$475.00 to cover the above fees is enclosed.


b. ☐ Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a)
or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

PTO Customer No: 26161


 SIGNATURE
 Faustino A. Lichauco
 NAME
 41,942
 REGISTRATION NUMBER